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Senate

NOMINATION OF JOHN ASHCROFT TO BE ATTORNEY GENERAL OF THE UNITED STATES

Mr. CARPER. Mr. President, just a few moments ago, I had a phone conversation with Senator Ashcroft--it was not an easy call for me, and I suspect it was not an easy call for him--in which I shared with him my decision not to vote for his confirmation to be Attorney General for our country.

Unlike many of my colleagues in this body, I never served with Senator Ashcroft. We heard a lot about him today from those who know him better than I ever will. While some are full of praise and others are more critical, a number of characteristics about the man emerge. I want to reiterate some of those.

Even his critics will acknowledge that John Ashcroft is a person of intellect, someone with great energy, someone with a wealth of experience within his own State and here at the Federal level, a person of deep faith, someone who was gracious in defeat in his reelection campaign last November. If he were a nominee for Secretary of Education, Secretary of Energy, Secretary of Agriculture, or Secretary of Housing and Urban Development, my vote would be different; I would vote for him. But he is not. He is the nominee for Attorney General for our country.

Senator Ashcroft and I have some common roots. I share his deep faith. We are both Christians. I have been Governor of my State. He was Governor of his State. He nominated many people to serve in that capacity. I nominated many people to serve

in that capacity as well, judges and people to serve on my cabinet. Governors of Delaware do not nominate the attorney general of our State. The person charged with law enforcement and prosecuting criminals in our State is the attorney general, who is independently elected.

Some have said to me that the President should have the right to his choice of his attorney. We need to remember that the Attorney General is not just the President's attorney. The President actually has his own attorney, and all Presidents for a long time have had their own attorneys. The Attorney General is the Attorney General for the country.

There was a fellow named George Wallace who used to be Governor of Alabama. Many of us remember him. When he would run for President, he knew he was not going to win. John Ashcroft is going to win. He will be confirmed today. He knows that, and I think we know that.

When George Wallace used to run for President, he would say to the voters who were skeptical to spend their vote on a guy who was not going to win: Send them a message.

I am struck by the people in my State, people of color, who have said to me in the last month or two since John Ashcroft's name was floated and ultimately submitted by President Bush, that even if Senator Ashcroft is confirmed as Attorney General, we need to send him a message, and the

message is that people in my State, particularly people of color, are uncomfortable with this nomination. They are unconvinced that he will be forthright, that he will be consistent, that he will be persistent, that he will be a champion when it comes to ensuring that their civil rights are protected. John Ashcroft comes from Missouri. It is a show-me State. There are people in my State, especially people of color--and I know there are others in Delaware and in other States--who are concerned about whether or not Attorney General John Ashcroft would ensure reproductive rights for women, civil rights for those who may have different sexual preferences than others of us, people who may feel differently about gun laws. Will this Attorney General enforce the laws of the land and protect those interests as well?

I have heard from too many people in my

State--from the minority community--who have said we need to send a message to Washington, to the new administration, that they do not want to be forgotten. They do not want to be left behind. As much progress as we have made in providing a better, equal footing, a level playing field for people of color, we still have a long ways to go.

I regret I have to vote against our new President on this nomination. I will vote yes on every other one. This is one on which I have to take a different course.

I thank Senator Ashcroft for the conversation we just had a little bit ago. I am hopeful he is prepared to send all of us a message, regardless of where we are from, what our color is, what our sexual preference is, how we feel about a woman's reproductive right, and that is: As Attorney General he will enforce rigorously the laws of this land for all of us. I thank the Chair.